Notice of Allowability	Application No.	Applicant(s)	
	09/777,107	COLLURA ET AL.	
	Examiner	Art Unit	
	Jonathan ML Foreman	3736	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *Amendment After Final Filed 5/1/06*.

2. ☒ The allowed claim(s) is/are *21-30*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a) ☐ All b) ☐ Some* c) ☐ None of the:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
      3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

   * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
   (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
   (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

   Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date *20060625* .
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with James C. Scott on 6/23/06.

The application has been amended as follows:

In the Specification:

On page 13, line 15, --display-- has been deleted.

On page 13, line 16, "output" has been added before "means" and "40" has been added after "means".

On page 13, line 17, --display-- has been deleted and replaced with "output".

On page 13, line 18, --42-- has been deleted and replaced with "40".

On page 13, line 24, --input-- has been deleted.

On page 13, line 24, "feedback" has been added before "node 8".

On page 13, line 24, "remote" has been added after the second "secondary".

On page 15, line 27, --display-- has been deleted and replaced with "output".

On page 17, line 20, "input" has been added before the second "node".

On page 17, line 22, "input" has been added after "remote".

On page 17, line 22, --note-- has been deleted and replaced with "node".

A complete listing of the amended claims follows:

1-20. (Canceled)

21. (Currently Amended) A distributed biofeedback system for managing a biofeedback session, comprising:

(a) an input means for receiving physiological data from a user;

(b) an output means for communicating feedback to the user;

(c) an input node connected to the input means for receiving data from the input means;

(d) a first-level data node connected to the input node for receiving and processing data received from the input node;

(e) a remote input node connected to the first-level data node for receiving data from the ~~first remote input~~ first-level data node and further processing the data and preparation of the data for remote outputting;

(f) a remote feedback node having remote feedback inputs connected to the remote input ~~means~~ node for producing a remote feedback output responsive to the remote feedback inputs;

(g) a first-level feedback node having first-level feedback inputs connected to the first-level ~~input~~ data node and the remote feedback ~~output~~ node for producing a first-level feedback output responsive to the first-level feedback inputs;

(j) a primary feedback node having primary feedback inputs connected to the ~~primary~~ input node and the first-level feedback ~~output~~ node for producing a primary feedback output for controlling the output means.

22. (Previously Presented) The distributed biofeedback system for managing a biofeedback session as in claim 21, further comprising a local database for storing and retrieving data from a local node, a first-level input node, a first-level feedback node, and a primary feedback node.

23. (Original) The distributed biofeedback system for managing a biofeedback session as in claim 22, further comprising a remote database for storing and retrieving data from the remote input node and remote feedback node.

24. (Currently Amended) The distributed biofeedback system for managing a biofeedback session as in claim 23, further comprising remote output means connected to ~~the remote feedback~~ a second remote input node for communicating data to a monitor at a remote location; and remote input means for receiving input from the monitor at the remote location.

25. (Currently Amended) The distributed biofeedback system for managing a biofeedback session as in claim 21, further comprising:

(a) a second remote input node connected to the remote input node for receiving data from the remote input node and further processing the data and preparation of the data for remote outputting;

(b) remote output means connected to the second remote ~~feedback~~ input node for communicating data to a monitor at a remote location;

(c) remote input means for receiving input from the monitor at the remote location;

(d) a second remote feedback node having secondary remote feedback inputs connected to the remote input means and second remote input node for producing a second remote feedback output responsive to the secondary remote feedback inputs, the second remote feedback ~~output~~ node being connected to one of the inputs of the remote feedback node.

26. (Currently Amended) The distributed biofeedback system for managing a biofeedback session as in claim 25, wherein the remote input node is connected to a first-level ~~input~~ data node by the Internet and the remote feedback ~~output~~ node is connected to the first-level feedback node by the Internet.

27. (Currently Amended) The distributed biofeedback system for managing a biofeedback session as in claim 26, wherein the second remote input node is connected to the

remote input node by the Internet and the output of the second remote feedback node is connected to the input of the remote feedback node by the Internet.

28. (Currently Amended) The distributed biofeedback system for managing a biofeedback session as in claim 27, further comprising:

(a) a local database for storage and retrieval of data input into the input ~~data~~ node and the first-level data node, and data output from the primary feedback node and the first-level feedback node;

(b) a first remote database for storage and retrieval of data input into the remote ~~data~~ input node, and data output from the remote feedback node;

(c) a second remote database for storage and retrieval of data input into the second remote input node, and data output from the second remote feedback node.

29. (Original) The distributed biofeedback system for managing a biofeedback session as in claim 28, further comprising computer readable instructions on a computer readable medium having instructions for selecting and outputting data from the local database to the remote output means; and computer readable instructions for selecting and outputting data from the first remote database to the remote output means; and computer readable instructions for selecting and outputting data from the second remote database to the output means.

30. (Original) The distributed biofeedback system for managing a biofeedback session as in claim 29, further comprising computer readable instructions for controlling the output of the primary feedback node from the remote input means; computer readable instructions for controlling the output of the remote feedback node from the remote input means, and; computer readable instructions for controlling the output of the second remote feedback node from the remote input means.

31-36. (Canceled).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan ML Foreman whose telephone number is (571)272-4724. The examiner can normally be reached on Monday - Friday 8:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Max Hindenburg can be reached on (571)272-4726. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JMLF

MAX F. HINDENBURG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700